

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY RAY WOLFENBARGER,

Defendant.

Case No. 16-CR-00519-LHK-1

**ORDER RE: SUPERSEDING
INDICTMENT**

Re: Dkt. No. 268

At the February 5, 2020 pretrial conference, the Court scheduled a status conference on February 12, 2020 at 9:15 a.m. to “discuss the status of the Government’s anticipated superseding indictment and whether the parties would be available to begin trial on Thursday, March 12, 2020.” ECF No. 266 at 1.

On February 6, 2020, the government filed a superseding indictment. ECF No. 268. Accordingly, to determine whether the February 12, 2020 status conference is necessary, the Court hereby **ORDERS** the parties to file a joint statement by February 11, 2020 at 12 p.m. that:

(1) provides an update as to whether the parties are available to begin trial on Thursday,

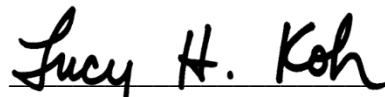
March 12, 2020; and

(2) identifies what, if any, impact the superseding indictment has on the case and trial date.

Moreover, by March 2, 2020, the parties shall jointly file proposed jury instructions, which include any revisions necessitated by the superseding indictment and the Court's disposition of the parties' motions in limine.

IT IS SO ORDERED.

Dated: February 6, 2020



LUCY H. KOH
United States District Judge

United States District Court
Northern District of California